



புதுச்சேரி மாநில அரசிதழ்

La Gazette de L'État de Poudouchéry The Gazette of Puducherry

PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

EXTRAORDINARY

அதிகாரம் பெற்ற
வெளியீடு

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IN THE COURT OF THE SUBDIVISIONAL MAGISTRATE (NORTH) AT PUDUCHERRY

Present : Thiru M. KANDASAMY,
Subdivisional Magistrate (North).

M.C. No. 357/2021, I.R.No. 94/2021 under section 144 of Cr.P.C./3175

ORDER

(UNDER SECTION 144 OF Cr.P.C.)

State Represented by the Station House Officer,
Orleanpet Police Station,
Puducherry.

. . Petitioner

Vs

Thiru Johnson (23),
S/o. Joseph (*Late*),
No. 14, 4th Cross,
Murugan Koil Street,
Orleanpet,
Puducherry.

. . Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Orleanpet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against the Counter Petitioner to prevent imminent danger to human lives and properties and disturbance to the public tranquility and order, in the jurisdiction of this Court.

2. The Counter Petitioner is Thiru Johnson (23), son of Joseph, a resident of No. 14, 4th Cross, Murugan Koil Street, Orleanpet, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Orleanpet Police Station, Puducherry, through the Superintendent of Police (East), Puducherry *vide* I.R. No. 94/2021 under section 144 of Cr.P.C., dated 08-10-2021. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crimes such as murder and disturbance to the public tranquillity and order. The Counter Petitioner has created panic in the minds of local inhabitants and the business community in the city limit. It is also stated that he is leading lavish life with the money earned through extortion. As a result the people of the locality being afraid of him do not come forward to lodge any complaint against him.

4. The Petitioner further reported that, in-between on 04-07-2021 at 17.30 hours to 09-07-2021 at 23.15 hours at No. 08, 4th Cross, Periyar Nagar, Murugan Koil Street, Orleanpet, Puducherry, the accused persons (1) Gowtham (23), son of Gopal (*late*), No. 04, 8th Cross, Murugan Koil Street, Periyar Nagar, Orleanpet, Puducherry, (2) Abraham (22), son of Selvanathan, No. 03, 10th Cross, Periyar Nagar, Puducherry, (3) Johnson (23), son of Joseph (*late*), No. 14, 4th Cross, Murugan Koil Street, Orleanpet, Puducherry, were arrested under the possession of one 7.62 SLR Rifle. During enquiry all the accused persons A1 to A3 in furtherance of common intention committed house breaking in day time and stolen (1) one 7.62 mm rifle, (2) 3 knives and (3) copper coils which were in the custody of Hon'ble III Additional District Jurisdiction Court, Puducherry and kept in CP room situated in Integrated Court Complex, Puducherry. In this connection, the Petitioner had stated that the following criminal case was registered against the Counter Petitioner.

Cr.No. 98/2021 under section 25 (1A) of Arms Act, 1959 @ 454, 380 IPC and 25(1A) of Arms Act, 1959 r/w 34 IPC, dated 09-07-2021.

5. It is also stated in the I.R that the Station House Officer has received reliable information that the Counter Petitioner violated the conditions imposed by the Criminal Courts while he was released on bail and he is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. The Counter Petitioner is hatching plans to threaten the business people in the Puducherry urban area and extort money from them by threatening. It is stated that the Counter Petitioner is a young and very active notorious rowdy element and have become a source of terror among the public. And also, the Counter Petitioner earned displeasure among a section of other rowdy group in the area on account of the grudge against him and hence, rival group is also waiting opportunity to take revenge upon him. It is further stated that the Counter Petitioner is not a law abiding person and have scant respect to the judiciary and rule of law.

6. The Petitioner further submitted that if the Counter Petitioner is allowed to reside in Puducherry urban limits, it is apprehended that he would continue to indulge in serious offences like murder, extortion, assault, obstructions and annoyance, damages to the public and private properties, *etc.*, and thereby emerged

as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Orleanpet Police Station, Puducherry, has prayed to invoke provisions under section of 144 Cr.P.C., against the Counter Petitioner do not to enter into the jurisdiction of this Court, for a period of two months as to prevent danger to the human life and properties, and disturbance to the public tranquility and order.

7. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 29-10-2021 to appear for the hearing on 08-11-2021 and further hearing on 16-11-2021. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Orleanpet Police Station, Puducherry. The notice was received by the Counter Petitioner.

8. On 16-11-2021, the Petitioner represented by Thiru Ramachandiran, Assistant Sub-Inspector, Orleanpet Police Station, Puducherry and the Counter Petitioner were present.

9. I have heard both the sides and carefully gone through all the available records in file placed by the Petitioner. In the Police Information Report/Petition, it is stated that the activities of the Counter Petitioner are in such a manner that he may cause breach of peace and create a problem of law and order, and public tranquility. He has involved in crimes such as unlawful activities and disturbance to the public peace and order. There is one criminal case was registered against him. I have also heard the oral submissions of the Counter Petitioner. The Counter Petitioner has stated that the Petitioner has filed this false case with an ulterior motive.

10. Upon hearing both sides and on perusal of the records submitted by the Petitioner, I am of the opinion that if, the Counter Petitioner is allowed to reside within the limits of my jurisdiction, the Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, damages to public and private properties, obstructions, annoyance, *etc.*, and thereby become a perennial source of threat to the community and disturb public peace and order. Such situations cannot be handled effectively by taking recourse to usual procedures contemplated by law and hence, it is necessary that special provision under section 144 of Cr.P.C., is invoked to take action against the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

11. Hence, I, M. Kandasamy, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of the powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Johnson (23), son of Joseph, a resident of No. 14, 4th Cross, Murugan Koil Street, Orleanpet, Puducherry, from entering into the region under the jurisdiction of the Subdivisional Magistrate Court (North), for a period of two months from the date of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry. However, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 16th day of November, 2021, pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

**IN THE COURT OF THE SUBDIVISIONAL MAGISTRATE (NORTH)
AT PUDUCHERRY**

Present : Thiru M. KANDASAMY,
Subdivisional Magistrate (North).

M.C. No. 358/2021, I.R.No. 95/2021 under section 144 of Cr.P.C./3174

ORDER

(UNDER SECTION 144 OF Cr.P.C.)

State Represented by the Station House Officer,
Orleanpet Police Station,
Puducherry.

. . . Petitioner

Vs

Thiru Abraham (22),
S/o. Selvanathan,
No. 03, 10th Cross,
Periyar Nagar,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Orleanpet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against the Counter Petitioner to prevent imminent danger to human lives and properties and disturbance to the public tranquility and order, in the jurisdiction of this Court.

2. The Counter Petitioner is Thiru Abraham (22), son of Selvanathan, a resident of No. 03, 10th Cross, Periyar Nagar, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Orleanpet Police Station, Puducherry, through the Superintendent of Police (East), Puducherry *vide* I.R.No. 95/2021 under section 144 of Cr.P.C., dated 09-10-2021. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crimes such as murder and disturbance to the public tranquillity and order. The Counter Petitioner has created panic in the minds of local inhabitants and the business community in the city limit. It is also stated that he is leading lavish life with the money earned through extortion. As a result, the people of the locality being afraid of him do not come forward to lodge any complaint against him.

4. The Petitioner further reported that, In-between on 04-07-2021 at 17.30 hours to 09-07-2021 at 23.15 hours at No. 08, 4th Cross, Periyar Nagar, Murugan Koil Street, Orleanpet, Puducherry, the accused persons (1) Gowtham (23), son of Gopal (*late*), No. 04, 8th Cross, Murugan Koil Street, Periyar Nagar, Orleanpet, Puducherry, (2) Abraham (22), son of Selvanathan, No. 03, 10th Cross, Periyar Nagar, Puducherry, (3) Johnson (23), son of Joseph (*late*), No. 14, 4th Cross, Murugan Koil Street, Orleanpet, Puducherry, were arrested under the possession of one 7.62 SLR Rifle. During enquiry all the accused persons A1 to A3 in furtherance of common intention committed house breaking in day time and stolen (1) one 7.62 mm rifle, (2) 3 knives and (3) copper coils which were in the custody of Hon'ble III ADJ Court, Puducherry and kept in CP room situated in Integrated Court complex, Puducherry. In this connection, the Petitioner had stated that the following criminal case was registered against the Counter Petitioner.

Cr.No. 98/2021 under section 25 (1A) of Arms Act, 1959 @ 454, 380 IPC and 25(1A) of Arms Act, 1959 r/w 34 IPC, dated 09-07-2021.

5. It is also stated in the I.R that the Station House Officer has received reliable information that the Counter Petitioner violated the conditions imposed by the Criminal Courts while he was released on bail and he is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. The Counter Petitioner is hatching plans to threaten the business people in the Puducherry urban area and extort money from them by threatening. It is stated that the Counter Petitioner is a young and very active notorious rowdy element and have become a source of terror among the public. And also, the Counter Petitioner earned displeasure among a section of other rowdy group in the area on account of the grudge against him and hence, rival group is also waiting opportunity to take revenge upon him. It is further stated that the Counter Petitioner is not a law abiding person and have scant respect to the judiciary and rule of law.

6. The Petitioner further submitted that if the Counter Petitioner is allowed to reside in Puducherry urban limits, it is apprehended that he would continue to indulge in serious offences like murder, extortion, assault, obstructions and annoyance, damages to the public and private properties, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Orleanpet Police Station, Puducherry, has prayed to invoke provisions under section 144 of Cr.P.C., against the Counter Petitioner do not to enter into the jurisdiction of this Court, for a period of two months as to prevent danger to the human life and properties, and disturbance to the public tranquility and order.

7. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 29-10-2021 to appear for the hearing on 08-11-2021 and further hearing on 16-11-2021. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Orleanpet Police Station, Puducherry. The notice for the Counter Petitioner was received by his mother, Tmt. S. Sagayamary. The service was held sufficient for the Counter Petitioner.

8. On 16-11-2021, the Petitioner represented by Thiru Ramachandiran, Assistant Sub-Inspector, Orleanpet Police Station, Puducherry and the Counter Petitioner were present.

9. I have heard both the sides and carefully gone through all the available records in file placed by the Petitioner. In the Police Information Report/Petition, it is stated that the activities of the Counter Petitioner are in such a manner that he may cause breach of peace and create a problem of law and order, and public tranquility. He has involved in crimes such as unlawful activities and disturbance to the public peace and order. There is one criminal case was registered against him. I have also heard the oral submissions of the Counter Petitioner. The Counter Petitioner has stated that the Petitioner has filed this false case with an ulterior motive.

10. Upon hearing both sides and on perusal of the records submitted by the Petitioner, I am of the opinion that if the Counter Petitioner is allowed to reside within the limits of my jurisdiction, the Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, damages to public and private properties, obstructions, annoyance, *etc.*, and thereby become a perennial

source of threat to the community and disturb public peace and order. Such situations cannot be handled effectively by taking recourse to usual procedures contemplated by law and hence, it is necessary that special provision under section 144 of Cr.P.C., is invoked to take action against the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

11. Hence, I, M. Kandasamy, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of the powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Abraham (22), son of Selvanathan, a resident of No. 03, 10th Cross, Periyar Nagar, Puducherry, from entering into the region under the jurisdiction of the Subdivisional Magistrate Court (North), for a period of two months from the date of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry. However, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 16th day of November, 2021, pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

**IN THE COURT OF THE SUBDIVISIONAL MAGISTRATE (NORTH)
AT PUDUCHERRY**

Present : Thiru M. KANDASAMY,
Subdivisional Magistrate (North).

M.C. No. 359/2021, I.R.No. 96/2021 under section 144 of Cr.P.C./3173

ORDER

(UNDER SECTION 144 OF Cr.P.C.)

State Represented by the Station House Officer,
Orleanpet Police Station,
Puducherry.

.. Petitioner

Vs

Thiru Kumar @ Rajakumaran (28),
S/o. Ragavan,
No.75, Mettu Street,
Kuttiyankuppam,
Thookkanampakkam Post,
Cuddalore District, Tamil Nadu.
(Presently residing at Periyar Nagar,
Nellithope,
Puducherry.

.. Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Orleanpet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against the Counter Petitioner to prevent imminent danger to human lives and properties and disturbance to the public tranquility and order, in the jurisdiction of this Court.

2. The Counter Petitioner is Thiru Kumar @ Rajakumaran (28), son of Ragavan, a resident of No. 75, Mettu Street, Kuttiyankuppam, Thookkanampakkam Post, Cuddalore District, Tamil Nadu (Presently residing at Periyar Nagar, Nellithope, Puducherry).

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Orleanpet Police Station, Puducherry, through the Superintendent of Police (East), Puducherry vide I.R.No. 96/2021 under section 144 of Cr.P.C., dated 10-10-2021. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crimes such as murder and disturbance to the public tranquillity and order. The Counter Petitioner has created panic in the minds of local inhabitants and the business community in the city limit. It is also stated that he is leading lavish life with the money earned through extortion. As a result, the people of the locality being afraid of him do not come forward to lodge any complaint against him.

4. The Petitioner further submitted that, on 13-07-2021 at 16.30 hours one Thiru V. Damodaran, III Additional District Judge, Puducherry, came to Station and lodged a complaint, in which he stated that on 13-07-2021 at about 11.00 hours at the case property room, Northern side of Court Complex, Integrated Court Complex, Puducherry, the accused persons (A1) Kumar @ Rajakumaran (28), son of Ragavan, No. 75, Mettu Street, Kuttiyankuppam, Thookkanampakkam Post, Cuddalore District, Tamil Nadu, (A2) Akash (19), son of Kumar, No.16, 4th Cross, Murugan Koil Sreet, Orleanpet, Puducherry, (A3) Saran @ Sinna Saran (19), son of Dass @ Murthy, No. 523, 2nd Cross, Periyar Nagar, Nellithope, Puducherry, were joined together in furtherance of common intention trespassed into the Court complex case property room and committed theft of one Pistol and knives. In this connection, the Petitioner had stated that the following criminal case was registered against the Counter Petitioner.

Cr.No. 99/2021 under sections 454, 380, 511 IPC @ 454, 380 IPC r/w 34 IPC, dated 13-07-2021 of Orleanpet Police Station, Puducherry.

5. It is also stated in the I.R that the Station House Officer has received reliable information that the Counter Petitioner violated the conditions imposed by the Criminal Courts while he was released on bail and he is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. The Counter Petitioner is hatching plans to threaten the business people in the Puducherry urban area and extort money from them by threatening. It is stated that the Counter Petitioner is a young and very active notorious rowdy element and have become a source of terror among the public. And also, the Counter Petitioner earned displeasure among a section of other rowdy group in the area on account of the grudge against him and hence, rival group is also waiting opportunity to take revenge upon him. It is further stated that the Counter Petitioner is not a law abiding person and have scant respect to the judiciary and rule of law.

6. The Petitioner further submitted that if the Counter Petitioner is allowed to reside in Puducherry urban limits, it is apprehended that he would continue to indulge in serious offences like murder, extortion, assault, obstructions and annoyance, damages to the public and private properties, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Orleanpet Police Station, Puducherry, has prayed to invoke provisions under section 144 of Cr.P.C., against the Counter Petitioner do not to enter into the jurisdiction of this Court, for a period of two months as to prevent danger to the human life and properties, and disturbance to the public tranquility and order.

7. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 29-10-2021 to appear for the hearing on 08-11-2021 and further hearing on 16-11-2021. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Orleanpet Police Station, Puducherry. The notice was received by the Counter Petitioner.

8. On 16-11-2021, the Petitioner represented by Thiru Ramachandiran, Assistant Sub-Inspector, Orleanpet Police Station, Puducherry and the Counter Petitioner were present.

9. I have heard both the sides and carefully gone through all the available records in file placed by the Petitioner. In the Police Information Report/Petition, it is stated that the activities of the Counter Petitioner are in such a manner that he may cause breach of peace and create a problem of law and order, and public tranquility. He has involved in crimes such as unlawful activities and disturbance to the public peace and order. There is one criminal case was registered against him in Orleanpet Police Station, Puducherry. I have also heard the oral submissions of the Counter Petitioner. The Counter Petitioner has stated that the Petitioner has filed this false case with an ulterior motive.

10. Upon hearing both sides and on perusal of the records submitted by the Petitioner, I am of the opinion that if the Counter Petitioner is allowed to reside within the limits of my jurisdiction, the Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, damages to public and private properties, obstructions, annoyance, *etc.*, and thereby become a perennial source of threat to the community and disturb public peace and order. Such situations cannot be handled effectively by taking recourse to usual procedures contemplated by law and hence, it is necessary that special provision under section 144 of Cr.P.C., is invoked to take action against the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

11. Hence, I, M. Kandasamy, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of the powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Kumar @ Rajakumaran (28), son of Ragavan, a resident of No. 75, Mettu Street, Kuttiyankuppam, Thookkanampakkam Post, Cuddalore District, Tamil Nadu (Presently residing at Periyar Nagar, Nellithope, Puducherry) from entering into the region under the jurisdiction of the Subdivisional Magistrate Court (North), for a period of two months from the date of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry. However, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, Dated on this the 16th day of November, 2021 pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

**IN THE COURT OF THE SUBDIVISIONAL MAGISTRATE (NORTH)
AT PUDUCHERRY**

Present : Thiru M. KANDASAMY,
Subdivisional Magistrate (North).

M.C. No. 360/2021, I.R.No. 99/2021 under section 144 of Cr.P.C./3170

ORDER

(UNDER SECTION 144 OF Cr.P.C.)

State Represented by the Station House Officer,
Orleanpet Police Station,
Puducherry.

. . Petitioner

Vs

Thiru Gowtham (22),
S/o. Gopal,
No. 04, VIII Cross,
Murugan Koil Street,
Periyar Nagar,
Puducherry.

. . Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Orleanpet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against the Counter Petitioner to prevent imminent danger to human lives and properties and disturbance to the public tranquility and order, in the jurisdiction of this Court.

2. The Counter Petitioner is Thiru Gowtham (22), son of Gopal, a resident of No. 04, VIII Cross, Murugan Koil Street, Periyar Nagar, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Orleanpet Police Station, Puducherry, through the Superintendent of Police (East), Puducherry *vide* I.R.No.99/2021 under section 144 of Cr.P.C., dated 26-10-2021. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crimes such as attempt to murder, hurt, extortion and disturbance to the public tranquillity and order . The Counter Petitioner has created panic in the minds of local inhabitants and the business community in the city limit. It is also stated that he is leading lavish life with the money earned through extortion. As a result, the people of the locality being afraid of him do not come forward to lodge any complaint against him. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

1. Cr.No. 224/2017 under sections 294(b), 324, 506(ii) r/w 34 IPC of Orleanpet Police Station, Puducherry – Pending Trial.
2. Cr.No. 60/2018 under section 34 E(i) and B IX of PP Act of Orleanpet Police Station, Puducherry – Pending Trial.
3. Cr.No. 012/2019 under section 25(i) (a) of Arms Act of Orleanpet Police Station, Puducherry – Pending Trial.
4. Cr.No. 51/2019 under section 25(i) (a) of Arms Act of Orleanpet Police Station, Puducherry – Pending Trial.

5. Cr.No. 209/2020 under sections 147, 148, 307, 294(b) and 324 IPC r/w 149 IPC of Orleanpet Police Station, Puducherry – Pending Trial.
6. Cr.No. 98/2021 under section 25 (1A) of Arms Act, 1959 @ 454, 380 IPC and 25 (1A) of Arms Act, 1959 r/w 34 IPC of Orleanpet Police Station, Puducherry – Pending Trial.
7. Cr.No. 89/2021 under sections 294(b), 353, 506(i) IPC r/w 149 IPC, dated 29-08-2021 of Orleanpet Police Station, Puducherry – Pending Trial.

4. It is also stated in the I.R that the Station House Officer has received reliable information that the Counter Petitioner violated the conditions imposed by the Criminal Courts while he was released on bail and he is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. The Counter Petitioner is hatching plans to threaten the business people in the Puducherry urban area and extort money from them by threatening. It is stated that the Counter Petitioner is a young and very active rowdy element and have become a source of terror among the public. And also, the Counter Petitioner earned displeasure among a section of other rowdy group in the area on account of the grudge against him and hence, rival group is also waiting opportunity to take revenge upon him.

6. The Petitioner further submitted that if the Counter Petitioner is allowed to reside in Orleanpet Police Station, Puducherry, limits, it is apprehended that he would continue to indulge in serious offences like riot, affray, criminal intimidation, criminal trespass, assault, obstructions and annoyance, damages to the public and private properties, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Orleanpet Police Station, Puducherry, has prayed to invoke provisions under section 144 of Cr.P.C., against the Counter Petitioner do not to enter into the jurisdiction of this Court, for a period of two months as to prevent danger to the human life and properties, and disturbance to the public tranquility and order.

7. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 29-10-2021 to appear for the hearing on 08-11-2021 and further hearing on 16-11-2021. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Orleanpet Police Station, Puducherry. The notice for the Counter Petitioner was received by his wife Tmt. G. Sengathir. The service was held sufficient for the Counter Petitioner.

8. On 16-11-2021, the Petitioner represented by Thiru Ramachandiran, Assistant Sub-Inspector, Orleanpet Police Station, Puducherry, were present. The Counter Petitioner has failed to appear before the Court on hearing date.

9. I have heard the Petitioner and carefully gone through all the available records placed before me. In the Police Information Report/Petition, it is stated that the activities of the Counter Petitioner are in such a manner that he may cause breach of peace and create a problem of law and order, and public tranquility. He has involved in crimes such as unlawful activities, assault and disturbance to the public peace and order. There are 7 criminal cases were registered against him in Orleanpet Police Station. Puducherry.

10. On perusal of the records submitted by the Petitioner, I am of the opinion that if, the Counter Petitioner is allowed to reside within the limits of my jurisdiction, the Counter Petitioner will continue to indulge in and also motivate

serious offences like murder, assault, damages to public and private properties, obstructions, annoyance, *etc.*, and thereby become a perennial source of threat to the community and disturb public peace and order. Such situations cannot be handled effectively by taking recourse to usual procedures contemplated by law and hence, it is necessary that special provision under section 144 of Cr.P.C., is invoked to take action against the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

11. Hence, I, M Kandasamy, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of the powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Gowtham (22), son of Gopal, a resident of No. 04, VIII Cross, Murugan Koil Street, Periyar Nagar, Puducherry, from entering into the region under the jurisdiction of the Subdivisional Magistrate Court (North), for a period of two months from the date of this Order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry. However, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, Dated on this the 16th day of November, 2021 pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

**IN THE COURT OF THE SUBDIVISIONAL MAGISTRATE (NORTH)
AT PUDUCHERRY**

Present : Thiru M. KANDASAMY,
Subdivisional Magistrate (North).

M.C. No. 361/2021, I.R.No. 100/2021 under section 144 of Cr.P.C./3171

ORDER

(UNDER SECTION 144 OF Cr.P.C.)

State Represented by the Station House Officer,
Orleanpet Police Station,
Puducherry.

.. Petitioner

Vs

Thiru Rajasekar (33),
S/o. Mokkan @ Murugesan,
No. 42, Ambethkar Nagar,
Attupatti,
Puducherry.

.. Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Orleanpet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C against the Counter Petitioner to prevent imminent danger to human lives and properties and disturbance to the public tranquility and order, in the jurisdiction of this Court.

2. The Counter Petitioner is Thiru Rajasekar (33), son of Mokkan @ Murugesan, a resident of No. 42, Ambethkar Nagar, Attupatti, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Orleanpet Police Station, Puducherry, through the Superintendent of Police (East), Puducherry *vide* I.R.No. 100/2021 under section of 144 of Cr.P.C., dated 27-10-2021. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crimes such as attempt to murder, hurt, extortion and disturbance to the public tranquillity and order. The Counter Petitioner has created panic in the minds of local inhabitants and the business community in the city limit. It is also stated that he is leading lavish life with the money earned through extortion. As a result, the people of the locality being afraid of him do not come forward to lodge any complaint against him. In this connection, the Petitioner had stated that the following criminal case was registered against the Counter Petitioner.

Cr.No. 202/2020 under sections 341, 302 IPC r/w 34 IPC @ 147, 148, 341, 302 IPC r/w 149 IPC of Orleanpet Police Station, Puducherry.

4. It is also stated in the I.R that the Station House Officer has received reliable information that the Counter Petitioner violated the conditions imposed by the Criminal Courts while he was released on bail and he is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. The Counter Petitioner is hatching plans to threaten the business people in the Puducherry urban area and extort money from them by threatening. It is stated that the Counter Petitioner is a young and very active rowdy element and have become a source of terror among the public. And also, the Counter Petitioner earned displeasure among a section of other rowdy group in the area on account of the grudge against him and hence, rival group is also waiting opportunity to take revenge upon him.

5. The Petitioner further submitted that if the Counter Petitioner is allowed to reside in Orleanpet, Police Station, Puducherry, limits, it is apprehended that he would continue to indulge in serious offences like riot, affray, criminal intimidation, criminal trespass, assault, obstructions and annoyance, damages to the public and private properties, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Orleanpet Police Station, Puducherry, has prayed to invoke provisions under section of 144 Cr.P.C., against the Counter Petitioner do not to enter into the jurisdiction of this Court, for a period of two months as to prevent danger to the human life and properties, and disturbance to the public tranquility and order.

6. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 29-10-2021 to appear for the hearing on 08-11-2021 and further hearing on 16-11-2021. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Orleanpet Police Station, Puducherry. The notice was received by the Counter Petitioner.

7. On 16-11-2021, the Petitioner represented by Thiru Ramachandiran, Assistant Sub-Inspector, Orleanpet Police Station, Puducherry and the Counter Petitioner were present.

8. I have heard both the sides and carefully gone through all the available records in file placed by the Petitioner. In the Police Information Report/Petition, it is stated that the activities of the Counter Petitioner are in such a manner that he

may cause breach of peace and create a problem of law and order, and public tranquility. He has involved in crimes such as unlawful activities and disturbance to the public peace and order. There is one criminal case was registered against him. I have also heard the oral submissions of the Counter Petitioner. The Counter Petitioner has stated that the Petitioner has filed this false case with an ulterior motive.

9. Upon hearing both sides and on perusal of the records submitted by the Petitioner, I am of the opinion that if the Counter Petitioner is allowed to reside within the limits of my jurisdiction, the Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, damages to public and private properties, obstructions, annoyance, *etc.*, and thereby become a perennial source of threat to the community and disturb public peace and order. Such situations cannot be handled effectively by taking recourse to usual procedures contemplated by law and hence, it is necessary that special provision under section 144 of Cr.P.C., is invoked to take action against the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

10. Hence, I, M. Kandasamy, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of the powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Rajasekar (33), son of Mokkan @ Murugesan, a resident of No. 42, Ambethkar Nagar, Attupatti, Puducherry, from entering into the region under the jurisdiction of the Subdivisional Magistrate Court (North), for a period of two months from the date of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry. However, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, Dated on this the 16th day of November, 2021 pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

**IN THE COURT OF THE SUBDIVISIONAL MAGISTRATE (NORTH)
AT PUDUCHERRY**

Present : Thiru M. KANDASAMY,
Subdivisional Magistrate (North).

M.C. No. 362/2021, I.R.No. 101/2021 under section 144 of Cr.P.C./3172

ORDER

(UNDER SECTION 144 OF Cr.P.C.)

State Represented by the Station House Officer,
Orleanpet Police Station,
Puducherry.

.. Petitioner

Vs

Thiru Sundar @ Sundaravelu (27),
S/o. Ellappan,
No. 551, 2nd Cross,
Periyar Nagar, Nellithope,
Puducherry.

. . Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Orleanpet Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against the Counter Petitioner to prevent imminent danger to human lives and properties and disturbance to the public tranquility and order, in the jurisdiction of this Court.

2. The Counter Petitioner is Thiru Sundar @ Sundaravelu (27), son of Ellappan, a resident of No. 551, 2nd Cross, Periyar Nagar, Nellithope, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, Orleanpet Police Station, Puducherry, through the Superintendent of Police (East), Puducherry *vide* I.R.No. 101/2021 under section 144 of Cr.P.C., dated 28-10-2021. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crimes such as murder and disturbance to the public tranquillity and order. The Counter Petitioner has created panic in the minds of local inhabitants and the business community in the city limit. It is also stated that he is leading lavish life with the money earned through extortion. As a result, the people of the locality being afraid of him do not come forward to lodge any complaint against him.

4. The Petitioner further submitted that, on 13-07-2021 at 16.30 hours one Thiru V. Damodaran, III Additional District Judge, Puducherry, came to Station and lodged a complaint, in which he stated that on 13-07-2021 at about 11.00 hours at the case property room, Northern side of Court Complex, Integrated Court Complex, Puducherry the accused persons (A1) Kumar @ Rajakumaran (28), son of Ragavan, No. 75, Mettu Street, Kuttiyankuppam, Thookkanampakkam Post, Cuddalore District, Tamil Nadu, (A2) Akash (19), son of Kumar, No. 16, 4th Cross, Murugan Koil Sreet, Orleanpet, Puducherry, (A3) Saran @ Sinna Saran (19), son of Dass @ Murthy, No. 523, 2nd Cross, Periyar Nagar, Nellithope, Puducherry (4) Sundar @ Sundaravelu (27), son of Ellappan, No. 551, 2nd Cross, Periyar Nagar, Nellithope, Puducherry, were joined together in furtherance of common intention trespassed into the Court complex case property room and committed theft of one Pistol and knives. In this connection, the Petitioner had stated that the following criminal case was registered against the Counter Petitioner.

Cr.No. 99/2021 under sections 454, 380 r/w 511 IPC, dated 13-07-2021
of Orleanpet Police Station, Puducherry.

5. It is also stated in the I.R that the Station House Officer has received reliable information that the Counter Petitioner violated the conditions imposed by the Criminal Courts while he was released on bail and he is desperate and is in dire need of money to maintain his group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against him. The Counter Petitioner is hatching plans to threaten the business people in the Puducherry urban

area and extort money from them by threatening. It is stated that the Counter Petitioner is a young and very active notorious rowdy element and have become a source of terror among the public. And also, the Counter Petitioner earned displeasure among a section of other rowdy group in the area on account of the grudge against him and hence, rival group is also waiting opportunity to take revenge upon him. It is further stated that the Counter Petitioner is not a law abiding person and have scant respect to the judiciary and rule of law.

6. The Petitioner further submitted that if the Counter Petitioner is allowed to reside in Puducherry urban limits, it is apprehended that he would continue to indulge in serious offences like murder, extortion, assault, obstructions and annoyance, damages to the public and private properties, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Orleanpet Police Station, Puducherry, has prayed to invoke provisions under section 144 of Cr.P.C., against the Counter Petitioner do not to enter into the jurisdiction of this Court, for a period of two months as to prevent danger to the human life and properties and disturbance to the public tranquility and order.

7. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 29-10-2021 to appear for the hearing on 08-11-2021 and further hearing on 16-11-2021. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Orleanpet Police Station, Puducherry. The notice for the Counter Petitioner was received by his mother Tmt. Anusiya. The service was held sufficient for the Counter Petitioner.

8. On 16-11-2021, the Petitioner represented by Thiru Ramachandiran, Assistant Sub-Inspector, Orleanpet Police Station, Puducherry and the Counter Petitioner were present.

9. I have heard both the sides and carefully gone through all the available records in file placed by the Petitioner. In the Police Information Report/Petition, it is stated that the activities of the Counter Petitioner are in such a manner that he may cause breach of peace and create a problem of law and order and public tranquility. He has involved in crimes such as unlawful activities and disturbance to the public peace and order. There is one criminal case was registered against him. I have also heard the oral submissions of the Counter Petitioner. The Counter Petitioner has stated that the Petitioner has filed this false case with an ulterior motive.

10. Upon hearing both sides and on perusal of the records submitted by the Petitioner, I am of the opinion that if the Counter Petitioner is allowed to reside within the limits of my jurisdiction, the Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, damages to public and private properties, obstructions, annoyance, *etc.*, and thereby become a perennial source of threat to the community and disturb public peace and order. Such situations cannot be handled effectively by taking recourse to usual procedures contemplated by law and hence, it is necessary that special provision under section 144 of Cr.P.C., is invoked to take action against the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

11. Hence, I, M. Kandasamy, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of the powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Sundar @ Sundaravelu (27), son of Ellappan, a resident of No. 551, 2nd Cross, Periyar Nagar, Nellithope, Puducherry, from entering into the region under the jurisdiction of the Subdivisional Magistrate Court (North), for a period of two months from the date of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry. However, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, Dated on this the 16th day of November, 2021 pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).
